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Attorneys for Plaintiff RAGANI MAL,
individually and on behalf of all others similarly situated

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE**

RAGANI MAL, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

BANK OF THE WEST and DOES 1-50,
inclusive,

Defendant

Case No. 30-2022-01251706-CU-OE-CXC
Case No. 30-2022-01262144-CU-OE-CXC

ASSIGNED FOR ALL PURPOSES TO:
Honorable Melissa R. McCormick, Dept.
104

**DECLARATION OF PLAINTIFF RAGANI
MAL IN SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
AND PAGA SETTLEMENT**

DECLARATION OF RAGANI MAL

I, RAGANI MAL hereby declare as follows:

1. I am over the age of eighteen and I submit this Declaration in support of the Plaintiff's Motion for Preliminary Approval of Class Action Settlement. The following is based upon my personal knowledge and if called as a witness, I could and would competently testify thereto.

2. I was employed by Defendant BANK OF THE WEST ("Defendant") in July 7, 2020 as a Non-Exempt Employee with the title of Collections Agent and worked during the liability period for Defendant until my separation from Defendant's employ in approximately August 25, 2021.

3. As a non-exempt employee, I suffered the same damages as other employees. These included not being paid all my wages, not provided accurate wage statements, not provide with meal periods, not paid timely during my employment, not reimbursed for necessary business expenses, not accurately paid sick pay, not paid vested vacation pay, and not timely paid wages upon my separation from Defendant's employ all in accordance with California law. As a result of these alleged violations, I sought consultation with my attorneys at James Hawkins, APLC.

4. Based upon my allegations, and after consultation and full disclosure from my attorneys about the potential risks I faced as a Plaintiff in a putative class action, I freely decided to pursue this lawsuit to try and vindicate my rights and the rights of others who also worked for Defendant and suffered similar harms due to Defendant's common practices and policies.

5. Prior to filing my action, my attorneys and I had multiple conferences about the factual bases for the claims that I wanted to pursue against Defendant. During those conferences, my attorneys provided me with an overview of how those claims would be litigated and generally educated me about the nature of complex/representative litigation and my role as the representative Plaintiff.

6. My attorneys provided me with a draft of the complaint for my review and

1 approval. I closely reviewed the complaint to ensure accuracy and completeness. As a
2 result, I caused my attorneys to file the class action complaint alleging claims for the allegations
3 alleged therein. Thereafter, I have been fully involved in my case. Following the filing of the
4 complaint, I collaborated with my attorneys on the prosecution of my claims, and I regularly
5 contacted my attorneys to stay current on the status of the litigation, and to discuss my
6 attorneys' progress in prosecuting the claims.

7
8 7. Since I believe I was not provided accurate wage statements, not provide with
9 meal periods, not paid timely during my employment, not reimbursed for necessary business
10 expenses, not accurately paid sick pay, not paid vested vacation pay, and not timely paid wages
11 upon my separation from Defendant's employ, I believe that I have been similarly injured as to
12 all other class members in the settlement who worked for Defendant during the class period. I
13 believe the claims asserted in the Complaint are also shared by the other Class Members. I
14 worked with various other non-exempt employees, and I believe we were all treated the same
15 and subject to the same unlawful policies.

16 8. On December 28, 2022, I, through my attorneys, filed this action against
17 Defendant for Defendant's alleged: failure to pay minimum and overtime wages, failure to
18 provide meal periods, failure to pay all wages earned and owed upon separation from
19 Defendant's employ, failure to pay wages timely during employment, failure to provide accurate
20 itemized wage statements, failure to reimburse necessary business expenses, failure to pay
21 vested vacation pay, failure to accurately record and pay sick pay, and violation of Business &
22 Professions Code section 17200, et seq.

23 9. On March 23, 2023, I, through my attorneys, submitted a notice with the Labor
24 & Workforce Development Agency ("LWDA") alleging that Defendant violated Labor Code
25 sections 201-203, 510, 226.7, 226, 226.3, 227.3, 246, 512, 1174, 1174.5, 1175, 1194, 1197,
26 1197.1, 2802, pursuant to Labor Code section 2699.

27 10. Since I agreed to become a Class Representative, I have worked every step of the
28 way with my attorneys. During the course of the litigation, I have always kept the best interest
of the Class Members on equal footing as mine. I have been, and I am willing to continue to

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2 pursue the Class Members' claims vigorously on our collective behalf if the Settlement is not
3 finally approved. As a result, I firmly believe that I do not have any interests adverse to the
4 interests of the Class Members. I have maintained the Class Members best interest from the
5 inception of the case.

6 11. As the Class Representative, I have spent numerous hours consulting with my
7 attorneys, providing documentation, consulting with other Class Members, responding to
8 questions by my attorneys, providing documents to my attorneys, working with my attorneys to
9 review documents received, helping my attorneys in preparing for the mediation and attending
10 the mediation via telephone. I was consulted about the status of the case and provided constant
11 feedback about the case from my attorneys including the mediation, settlement negotiations and
12 eventual settlement. I estimate I have spent approximately 41 hours working on this case.

13 12. From the beginning of this case, I have freely chosen to accept the risks of
14 being the Class Representative in this class action lawsuit. I chose to assume these risks and
15 pursue the claims on behalf of the Class Members as I wanted to vindicate their rights. I believe
16 we have achieved that result with the settlement and the individual payments to the Class
17 Members. I believe the settlement is fair reasonable and adequate based on the numerous
18 defenses asserted by Defendant. I believe the efforts and work I put forth helped to achieve the
19 fair settlement that will benefit the Class Members. As a result of my efforts, I also believe the
20 Service Enhancement Payment is reasonable, and I respectfully request the Court approve the
21 amount of \$10,000.00 as fair and reasonable.

22 I declare under penalty of perjury under the laws of the state of California that the
23 foregoing is true and correct. Executed on June 25, 2024, at Tracy, California.

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DocuSigned by:
Ragani Mal
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RAGANI MAL